

TRANSMITTAL #2

MEMORANDUM

August 14, 2008

TO: Youth Program Design Committee
Workforce Development Council

FROM: Roger B. Madsen, Director

SUBJECT: WIA Waiver Application

ACTION REQUESTED: Approve Recommendations for WIA Waiver Application

BACKGROUND:

As delineated in Transmittal #1, service design Options 2 and 3 require application to the United States Department of Labor for waivers of certain statutory and regulatory provisions. To assure public comments could be included in the Youth Program Design Committee's decision-making process, staff issued a press release on July 9, 2008 announcing a 30-day public comment period regarding youth service delivery options and Idaho's potential application for waivers. The request for public input was also placed on the Idaho Department of Labor's home page and all current service providers were alerted to the opportunity for comment. The document released for public comment and all responses are attached.

Application for waivers of certain statutory and regulatory provisions is a procedural issue. Approval of these waivers will allow the Youth Program Design Committee and the Workforce Development Council latitude in selection of some or all services for delivery with or without procurement, as delineated in the service design options in Transmittal #1.

The attached public comments reflect concerns that a current youth provider will be eliminated from service delivery, but do not address the actual impact of the waivers. Decisions regarding service design options presented in Transmittal #1, rather than these waivers, will determine the level of procurement and opportunity for current providers to compete for youth program service delivery.

Public comments also reflect a concern that in-school youth services and summer programs, as well as services to juvenile probation youth, will be eliminated.

Staff Recommendations:

If the Youth Program Design Committee selects Option 2 or Option 3 from Transmittal #1, staff recommend the committee:

1. Approve submittal of the attached waiver requests for submission to the United States Department of Labor; and
2. Instruct staff to respond in writing to all public comments to include clarification on the impact of the waivers; the Youth Program Design Committee's recommendations regarding priority groups, which includes juvenile justice; its recommendation regarding any set-aside funds for in-school youth programs and the final recommendation from Transmittal #1 delineating how current providers and the juvenile justice school program itself might compete for delivery of youth program services.

Contacts:	Primary:	Dwight Johnson	(208) 332-3570, ext. 3335
	Secondary:	Kay Vaughan	(208) 332-3570, ext. 3310

Attachments



C.L. "BUTCH" OTTER, GOVERNOR
ROGER B. MADSEN, DIRECTOR

IDAHO WORKFORCE DEVELOPMENT COUNCIL PROPOSED WORKFORCE INVESTMENT ACT YOUTH PROGRAM CHANGES

Idaho's Workforce Development Council's Youth Program Design Committee has developed recommendations to establish a new Workforce Investment Act youth program design and is seeking broad public input regarding two waiver requests necessary to implement the committee's recommended design framework.

Background ~

In light of continuing federal program reductions, the committee sought input from other service providers to identify gaps in services to youth and to discuss how Workforce Investment Act resources might best be utilized in leveraging other partner resources. The committee also reviewed the national strategic direction to serve the neediest youth, which included priority service to out-of-school youth, those aging out of foster care and youth offenders. The committee's priority groups for youth program services were identified as follows:

- Youth who are involved with the juvenile justice system;
- Youth exiting foster care;
- Pregnant and parenting teens;
- Youth with disabilities;
- Out of school youth, and
- In-school youth who are in alternative high schools or enrolled in programs leveraging Carl Perkins and/or local technical education funds.

The federal act requires access to 10 youth program elements that if not commonly available to low income youth, must be made available with youth program resources. The committee determined that tutoring, alternative school, guidance and counseling are commonly available to low income youth and will be coordinated with other providers in the communities rather than purchased with federal funds. The federal law and regulations clarify that awarding a grant on a competitive basis does not apply to the design framework component where these services are provided by the grant recipient/fiscal agent. The design framework includes intake, assessment, development of an individual's service plan and overall case management.

The law authorizes the U.S. Department of Labor to waive certain statutory and regulatory provisions of the law to provide: increased flexibility to states in implementing reforms to the work force development system in exchange for state and local accountability for results including improved performance; and an opportunity for states to continue to organize services into a work force investment system through One-Stop Career Centers, which enhance the training and employment opportunities available to adults and youth.

Waiver Requests ~

The subcommittee's recommended design framework requires a federal waiver of two statutory and regulatory provisions of the Workforce Investment Act. These waiver requests have been previously submitted by several other states and approved. The waivers will align Idaho's youth service delivery structure with federal regulations and guidance advocating enhanced integration of youth services through the One-Stop system, offer consistent access to and delivery of a broader design framework, decrease staff costs and bring consistency to occupational classroom training processes for all program funding streams.

Written comments regarding the attached waiver requests may be submitted through Aug. 11, 2008 to

Ms. Kay Vaughan
Sr. Planner
Idaho Department of Labor
317 Main Street
Boise, Idaho 83735

Written comments may also be submitted online to WIAPlan@labor.idaho.gov

STATE OF IDAHO REQUEST FOR WAIVERS WIA YOUTH PROGRAM

In compliance with WIA Section 189(i)(4)(B) and WIA Regulations 661.420(c), the State of Idaho is requesting two waivers from the U.S. Department of Labor related to WIA Youth program design:

An exemption from the competition requirement for the follow-up, support services and work experience components, to include internship and summer work experience, and having those services categorized as part of the design framework; and,

An exemption from the prohibition on using WIA Youth dollars to fund Individual Training Accounts (ITA's) for older youth.

INCLUDE YOUTH FOLLOW-UP, SUPPORT SERVICES, WORK EXPERIENCES AS FRAMEWORK SERVICES

A. Statutory Regulation to be Waived:

WIA Section 123, Section 117(h)(4)(B)(i), and 20 C.F.R. Part 664.400 require that eligible providers of youth services be selected by awarding a grant or contract on a competitive basis for youth activities and services.

B. Goals to be Achieved by the Waiver:

A waiver will integrate the coordination and provision of these youth activities with the elements of the Youth program design framework delivered through Idaho's One Stop system and its twenty-five One Stop Career Centers, all operated by the WIA fiscal agent, the Idaho Department of Labor. Integration of these services will increase customer choice and flexibility in the customer's service strategy with greater access to WIA as well as partner program services accessed through the One Stop system.

The waiver will ensure an efficient, cost-effective delivery system by eliminating duplicate processes among training providers for work experiences. Development of worksites, building relationships with work site supervisors, training staff to monitor sites, and setting up agreements, and processes for payment of youth is very labor intensive. With this system capacity developed at the One Stop Career Centers, it is more cost effective and eliminates a duplication of effort when the same, or very similar, services are offered by two or more organizations in the same community.

Granting the waiver will allow for a smoother flow of data that documents the delivery of youth services, as well as the outcomes that result from youth participation, since the organization that is providing framework services will be in a better position to understand where each youth is in relationship to his or her individual service strategy, when a youth has exited a WIA service or the WIA program, and when the period for follow-up begins.

The waiver will also support improved common measures reporting since the framework service provider will be in the best position to know when a WIA youth is also participating in another partner program, and therefore make a better administrative judgment as to when program completion will trigger the time period to determine a performance outcome under the new common measures.

The goals for the youth program under the waiver will be greater effectiveness, efficiency, and continuity of services. Local One Stop Career Centers will provide greater continuity of services for youth, resulting in higher retention rates. The case management relationship with participants is based upon a thorough knowledge of the youth, their employment plan, expected outcomes, and barriers. When this relationship continues, and services are seamlessly accessed, the youth is more likely to follow through with the service strategy in a timely manner, take advantage of available services that lead to positive change, and achieve longer retention after program exit.

C. State or Local Statutory or Regulatory Barriers:

Idaho has implemented WIA under federal law without any additional legislative or local limitations or requirements. No additional barriers need to be addressed.

D. Description of Individuals Impacted by the Waiver:

The individuals affected by this waiver will be older and younger youth customers, and organizations/agencies who might be interested in RFP opportunities to deliver youth services.

E. Opportunity for Public Comment and the Process for the Implementation of the Waiver:

This waiver was developed in response to the recommendations of Idaho's Workforce Development Council subcommittee, working with statewide youth providers to study and re-design WIA youth service delivery.

Opportunity for 30-day public comment was announced through press releases on July 9, 2008.

The Department of Labor, fiscal agent and grant recipient for WIA in Idaho, will work with its One Stop system management staff and partner organizations to ensure successful implementation of the waiver.

PROHIBITION ON USE OF YOUTH WIA DOLLARS TO FUND INDIVIDUAL TRAINING ACCOUNTS FOR OLDER YOUTH

A. Statutory Regulation to be Waived:

WIA Section 129 and WIA Regulations 29 C.F.R. 664.510 prohibit the use of WIA Youth dollars to fund Individual Training Accounts for youth.

B. Goals to be Achieved by the Waiver:

Approval of this waiver will allow WIA Youth service providers to employ the use of *Individual Training Accounts* (ITA's) for out-of-school youth. An ITA will allow youth to receive individual training in accordance with systems established for WIA Adult and Dislocated Worker programs. The ITA will generally be applicable to older youth who lack the occupational skills to be successful in employment and whose individual service strategy reflects that skill training is appropriate and necessary to attain self-sufficiency. The ITA gives service providers options for youth which maximize efficiency and customer choice.

It is currently possible to serve older youth with ITA's by dual-enrolling in the WIA Adult program. However, dual-enrollment requires duplicative processes, increasing costs for staffing and record processing. Youth below 18 years of age have no option for ITA's since they are not eligible for the Adult program.

The goals to be achieved by the waiver are to: increase the number of youth entering into employment; increase the percentage of youth receiving credentials; and, increase the number of youth being retained in employment.

C. State or Local Statutory or Regulatory Barriers:

There are no state or local statutory or regulatory barriers to implementing the requested waiver.

D. Description of Individuals Impacted by the Waiver:

This waiver will impact the processes used by frontline staff to meet the skill training needs of youth customers.

E. Opportunity for Public Comment and the Process for the Implementation of the Waiver:

This waiver was developed in response to the recommendations of Idaho's Workforce Development Council subcommittee, working with statewide youth providers to study and re-design WIA youth service delivery.

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The Department of Labor, fiscal agent and grant recipient for WIA in Idaho, will work with its One Stop system management staff and partner organizations to ensure successful implementation of the waiver.

Kay Vaughan

From: Luke Kelsey [lkelsey@sd232.k12.id.us]
Sent: Tuesday, August 05, 2008 10:41 AM
To: WIAPlan
Subject: Youth Training Programs

Kay Vaughan,

I am writing this letter in opposition of the proposal to discontinue the use of private organizations to employ and train our At-Risk teens. I had the privilege of working as a trainer for Magic Valley Youth and Adult Services for over 10 years and witnessed some wonderful results. I am convinced that allowing private contractors such as MYVA gives the competition needed to ensure the best programs for these youth who so desperately need help. I appreciate your consideration on this matter.

Luke Kelsey

Wendell Middle School
Principal

208-536-5531 Work
208-358-1449 Mobile
lkelsey@sd232.k12.id.us
800 East Main
Wendell ID 83355

Kay Vaughan

From: Revis Turner [RTurner@csi.edu]
Sent: Tuesday, August 05, 2008 11:44 AM
To: WIAPlan
Subject: public comment

August 5, 2008

Kay Vaughn, Senior Planner
Idaho Department of Labor
317 W Main St
Boise, ID 83735

Dear Madam:

The proposed changes in the WIA Youth Training Programs that seem more efficient at the outset may prove to be less effective in the long run. I base this opinion on my experiences as a school counselor in a rural Idaho School District.

Over the years, a contracted WIA Youth Program Agency provided effective services to the rural school districts in southern Idaho by bringing services to the youth. Youth who were a part of this program benefited in helpful ways to get the job and life skills to become successful adults. If the changes go through, I fear that the personal outreach will be eliminated, and those youth who are disadvantaged will have additional obstacles to overcome.

Youth from rural areas will be greatly affected by this change and I request that due consideration be given.

Sincerely,

Revis E. Turner

Revis E. Turner, M.Ed., LPC, CT

8/13/2008

Kay Vaughan

From: Larry Duff [larry.duff@co.minidoka.id.us]
Sent: Wednesday, August 06, 2008 1:25 PM
To: WIAPlan
Subject: State of Idaho Request for Waivers - WIA Youth Programs.

August 6, 2008

Ms. Kay Vaughan
Sr. Planner
Idaho Department of Labor
317 Main Street
Boise, Idaho 83735

Re; State of Idaho Request for Waivers -- WIA Youth Programs

Dear Ms. Vaughan,

As a Magistrate Judge handling juveniles, I have had an opportunity to have a number of the juveniles from my court participate in the summer work programs funded currently by the Youth training Program. I found the summer work program to a very valuable tool in working with juvenile on probation. The Program not only provides a positive work experience that would not otherwise be available to them, it also has proven to be an effective deterrent to increased involvement with the juvenile justice system. It has proven to be a very positive influence on the juveniles thinking and actions. I strongly endorse the continue use of these fund for there current designated uses and strongly oppose the requested waiver.

Respectfully yours,

Larry R. Duff
Magistrate Judge
P.O. Box 368
Rupert, Idaho 83350

8/13/2008

August 6, 2008

To Whom It May Concern:

I'm submitting list letter in regards to the Youth Training Programs. I have worked with the current program for many years. I have found that it is a strong program that assists low income youth with a successful work experience. Youth and Adult services have made this program strong and successful. I feel that since the program has been very successful in our area that I see no need in changing it. Youth and Adult services guide the participants so that they can gain confidence and knowledge that therefore leads to success.

So on behalf of any changes to the funding please remember that a change could and probably will make this program difficult to access for the public that it is intended to service.

Thank you,
JoAnn Noble
Mini-Cassia Juvenile Probation
Juvenile Drug Coordinator

Kay Vaughan

From: lpbecker [lpbecker@cableone.net]
Sent: Wednesday, August 06, 2008 6:20 PM
To: WIAPlan
Subject: Magic Valley Youth and Adult Services

To Whom It May Concern: I am a school social worker for the Gooding School District. I have referred students and families to Magic Valley Youth and Adult Services for the past 10 years. Many services offered to youth are found only in the Twin Falls area. Families are unable to travel to resources. MVYAS bring these services to families and always makes face-to-face contact with clients. The summer work program they have developed is fun for adolescents. Students are able to gain work experience while brushing up on their education. Students are not always able to find summer work in our small town. This is the perfect fit for so many students.

Experience helps them gain employment in other settings plus looks good on college applications!! I only wish there were more openings for students!!!! Everyone that I have worked with at MVYAS has a wealth of knowledge on available resources for families. They have developed several fun programs. Our youth need access to services such as these in order to help them become productive adults! You should interview some of their clients.

If you should have further questions please contact me at 208-358-0375.

Tami Becker Anderson, MSW-LCSW
School Social Worker
Gooding Joint School District #231

8/13/2008



~Trust~Honesty~Respect~
~Fairness~SelfControl~Loyalty~

Richfield School District #316

555 North Tiger Drive
Richfield, Idaho 83349
208-487-2241 Fax 208-487-2240

Barbara Thronson
Superintendent
Mike Smith
Principal

August 5, 2008

Kay Vaughn
Senior Planner
Idaho Department of Labor
317 W. Main Street
Boise, Idaho 83735

Dear Kay:

I am writing to comment on the **proposed changes in Youth Training Programs**. To be effective utilizing federal funds for the Workforce Investment Act Programs, I believe that the program should continue to be competitive and not give all of the funds to the one-stop centers.

This program has benefited students in this rural, low-income community that otherwise would not have had an opportunity to have summer employment. This program has taught our youth work skills, leadership and career development skills, good work habits, and how to complete project goals.

This summer, the crew painted our school building under the supervision of an educational/job trainer. This project involved hands-on career skills, development of a landscaping portfolio, utilization of math, engineering and carpentry skills and doing an architectural design of the project. The students have received compliments from community members, staff, and students. It was a very rewarding experience for our youth and their advisor. We are located approximately 15 miles from Shoshone and 45 miles from Twin Falls, Idaho.

Previous student employees have gone into nursing, pharmacy, engineering, speech therapy, computer technology, engineering, and business administration. Without this program, these students might not have had the opportunity to explore different job skills.

We greatly appreciate the opportunity your department gave us to provide success for our students in this rural community where jobs are scarce. Your financial assistance in our rural area has made a very positive impact on student lives. Your program enabled our students to explore different job skills successfully.

Sincerely,

Barbara Thronson
Superintendent of Schools
Richfield School District
555 N. Tiger Drive
Richfield, Idaho 83349

c.c. Susan R. Baca
Mike Smith - Principal
Ciarr Ward -